

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

EXXON MOBIL CORPORATION

§

V.

CASE NO. 1:25-cv-00011-MJT

**ROBERT ANDRES BONTA A.K.A
ROB BONTA, IN HIS INDIVIDUAL
CAPACITY; SIERRA CLUB, INC.;
SURFRIDER FOUNDATION, INC.;
HEAL THE BAY, INC.; BAYKEEPER,
INC.; AND INTERGENERATIONAL
ENVIRONMENT JUSTICE FUND LTD.**

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AFFIDAVIT OF TRACY QUINN, PRESIDENT AND CEO OF HEAL THE BAY, INC.

STATE OF CALIFORNIA

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COUNTY OF LOS ANGELES

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Before me, the undersigned notary, on this day personally appeared Tracy Quinn, the affiant, a person whose identity is known to me. After I administered an oath, affiant testified as follows:

1. "My name is Tracy Quinn. I am over 18 years of age, of sound mind, and competent to make this affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct."

2. "I am currently the President and CEO of Heal the Bay, Inc. ("Heal the Bay"). I have held those positions since May 2022."

3. "Heal the Bay is an environmental nonprofit that was established in 1985. Heal the Bay was incorporated in California and its' principal place of business is in Santa Monica, Los Angeles County, California. Heal the Bay does not have an office at any other location because Heal the Bay only serves the Greater Los Angeles area. All of its employees work in Los Angeles County, California."

4. "Heal the Bay's mission is to make the coastal waters and watersheds in Greater Los Angeles safe, healthy, and clean. Heal the Bay uses science, education, community action, and advocacy to fulfill its mission. We have beach cleanups in Los Angeles County. Heal the Bay also educates students in Los Angeles County by allowing field trips and camps at Heal the

Bay's Aquarium, which is located in Santa Monica. Heal the Bay also engages in grassroots campaigns regarding California state propositions and city ordinances, such as Proposition 67 regarding a ban on plastic bags and Straws-on-Request, which was a City of Los Angeles ordinance."

5. I attended a press conference in San Francisco, California area related to the filing of the California complaint against Exxon Mobil. The statement in Paragraph 93 of ExxonMobil's Complaint was taken from a press release that was issued in conjunction with the filing of a lawsuit by a coalition of environmental groups against ExxonMobil in California. The press release makes no mention of Texas. The statement made was about single-use plastic pollution on the beaches and ocean in California.

6. "The press release referenced in Paragraph 93, n. 57 of Plaintiff's Complaint was drafted by me, Cameron Weeks, and Matt King. Cameron Weeks is an employee of Heal the Bay. Her job title is Communications Manager and she works in our office which is located in Santa Monica, California. Matt King is a communications consultant whose business name is MAY77 Communications. Matt King and MAY 77 Communications are based in Santa Monica, California."

7. "A true and correct copy of the original press release is attached hereto as exhibit A. I am familiar with the manner in which Heal the Bay's records are created and maintained by virtue of my duties and responsibilities. The records were made at, or near the time of each act, condition, opinion, or diagnosis was recorded. The records were made by, or from information transmitted by, persons with knowledge of the matters set forth in the record. The records were kept in the course of regularly conducted business activity."

8. "We wrote the press release in our office in Santa Monica, California. Three sources were cited in the press release: (1) "The New Plastics Economy Rethinking the future of plastics" published by the World Economic Forum. The article has an address listed in Switzerland; (2) "How much of global greenhouse gas emissions come from plastics?" written by Hannah Ritchie and published at <https://ourworldindata.org/ghg-emissions-plastics>. According to the website, Our World in Data is a project of Global Change Data Lab, a nonprofit based in the United Kingdom; and (3) "A plateful of plastic" published by Reuters at <https://www.reuters.com/graphics/ENVIRONMENT-PLASTIC/0100B4TF2MQ/>. None of the sources we relied on were based in Texas and the research efforts that identified these articles was conducted exclusively in California.

9. "Heal the Bay posted the press release on our website at <https://healthebay.org/heal-the-bay-sues-big-plastic/>." The press release was also linked on Heal the Bay's social media accounts. Heal the Bay does not have any targeted advertising on its social media or website to Texas residents. Additionally, Heal the Bay sent the press release to California Reporters. Heal the Bay did not send the press release to any reporters based outside the state of California. The press release does not mention or reference Texas or ExxonMobil's operations in Texas. Heal the Bay's website and social media do not target Texas for marketing or advertising purposes"

